IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

Robert Moss, individually and as general guardian of his minor child;
 	
 Ellen Tillett, individually and as general guardian of her minor child; and
 	
 Freedom From Religion Foundation, Inc., a Wisconsin non-profit corporation,
 	
        Plaintiffs,
 	
 v.
 	
 Spartanburg County School District No. 7,
 	
        Defendant.
	Case No. 7:09-cv-1586-HMH

DEFENDANT'S ANSWERS TO LOCAL RULE 26.01 INTERROGATORIES

Pursuant to Local Rule 26.01, Defendant submits the following Answers to Interrogatories:

(A)   State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

ANSWER: Defendant is not aware of any parties with a subrogation interest in the Plaintiffs' claim.

(B)   As to each claim, state whether it should be tried jury or nonjury and why.

ANSWER: Non-jury, as the Plaintiffs are only seeking declaratory relief.

(C)   State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent of more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

ANSWER: Defendant is not a publicly owned company. (1) It is not the parent, subsidiary, partner, or affiliate of any publicly owned company; (2) no publicly owned company owns ten percent more of it, and (3) it does not own ten percent or more of any publicly owned company.

(D)   State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

ANSWER: Defendant does not challenge the appropriateness of the division.

(E)   Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which *may be* related regardless of whether they are still pending. Whether cases *are* related such that they should be assigned to a single judge will be determined by the Clerk of the Court based on a determination of whether the cases: arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

ANSWER: Defendant is not aware of any other related matter filed in this District.

(F)   If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

ANSWER: Defendant is properly identified in the Plaintiffs' Complaint.

(G)   If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

ANSWER: Plaintiffs seek a declaration that Defendant's released time policy is unconstitutional. Defendant's policy was adopted in accordance with the State's Released Time Credit Act. If Defendant's policy is unconstitutional, then the State may be liable, in whole or in part.

[Signatures On Following Page]

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Respectfully Submitted,

/s/Kenneth E. Darr, Jr.
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Spartanburg, South Carolina